

**Zoning Ordinance Approval**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 55**  
**AGENDA DATE: Thu 03/23/2006**  
**PAGE: 1 of 1**

**SUBJECT:** C14-05-0214 - 4603 Commercial Park Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4603 Commercial Park Drive (Walnut Creek Watershed) from interim-single family standard lot (I-SF-2) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First reading approved on March 9, 2006. Vote: 7-0. Applicant and Agent: James White. City Staff: Robert Heil, 974-2330.

**REQUESTING**      Neighborhood Planning  
**DEPARTMENT:**      and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **SECOND / THIRD READINGS SUMMARY SHEET**

**ZONING CASE NUMBER:** C14-05-0214 (4603 Commercial Park Drive)

**REQUEST:**

Approve second and third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4603 Commercial Park Drive (Walnut Creek Watershed) from Interim Single Family Standard Lot (I-SF-2) district zoning to Limited Industrial – Conditional Overlay (LI-CO) combining district zoning.

**DEPARTMENT COMMENTS:**

Staff recommends approval of Limited Industrial Services– Conditional Overlay (LI-CO) combining district zoning. The Conditional Overlay would limit the vehicle trips to less than 2000 per day.

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of Applied Industrial Technologies – a manufacturer of custom electric motors for industrial uses.

This area was annexed on December 31, 2004, and the Zoning and Platting Commission has heard several similar cases in the area recently as property owners have applied for permanent zoning.

**APPLICANT/AGENT:** James White

**OWNER:** James White

**DATE OF FIRST READING:** February 9, 2006 (7-0).

**COMMISSION ACTION:** ZAP approved staff recommendation of LI-CO on consent (6-0) on 2/7/06

**CITY COUNCIL ACTION:** Council approved staff recommendation of LI-CO on consent (6-0) on 3/9/06 on first reading (7-0 vote). **(PENDING)**

**ORDINANCE NUMBER:**

**ASSIGNED STAFF:** Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 4603 COMMERCIAL PARK DRIVE AND  
3 CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY  
4 RESIDENCE STANDARD LOT (I-SF-2) DISTRICT TO LIMITED INDUSTRIAL  
5 SERVICES-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT.  
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from interim single family residence standard lot (I-SF-2) district  
11 to limited industrial services-conditional overlay (LI-CO) combining district on the  
12 property described in Zoning Case No. C14-05-0214, on file at the Neighborhood Planning  
13 and Zoning Department, as follows:  
14

15 A 0.700 acre (30,495 square feet) tract of land, more or less, out of Lot 36,  
16 Northeast Commercial Park Section Two Subdivision, the tract of land being more  
17 particularly described by metes and bounds in Exhibit "A" incorporated into this  
18 ordinance (the "Property"),  
19

20 locally known as 4603 Commercial Park Drive, in the City of Austin, Travis County,  
21 Texas, and generally identified in the map attached as Exhibit "B".  
22

23 PART 2. The Property within the boundaries of the conditional overlay combining district  
24 established by this ordinance is subject to the following conditions:  
25

26 A site plan or building permit for the Property may not be approved, released, or  
27 issued, if the completed development or uses of the Property, considered cumulatively with  
28 all existing or previously authorized development and uses, generate traffic that exceeds  
29 2,000 trips per day.  
30

31 Except as specifically restricted under this ordinance, the Property may be developed and  
32 used in accordance with the regulations established for the limited industrial services (LI)  
33 base district and other applicable requirements of the City Code.  
34  
35  
36  
37

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

2  
3  
4 **PASSED AND APPROVED**

5  
6  
7  
8 \_\_\_\_\_, 2006

§  
§  
§

Will Wynn  
Mayor

9  
10  
11  
12  
13 **APPROVED:**

David Allan Smith  
City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk

0.700 ACRES  
REMAINDER OF LOT 36  
NORTHEAST COMMERCIAL  
BUSINESS PARK SECTION II      EXHIBIT A

FN. NO. 96-009 (PTR)  
JANUARY 29, 1996  
BPI JOB NO. 011-37.92

DESCRIPTION

OF A 0.700 ACRE (30,495 SQ. FT.) TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING THE REMAINDER OF LOT 36 NORTHEAST COMMERCIAL PARK SECTION TWO, A SUBDIVISION OF RECORD IN BOOK 80, PAGE 145 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN TRACT CONVEYED TO JAMES D. WHITE AND ALMA F. WHITE BY DEED OF RECORD IN VOLUME 12471, PAGE 2616 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.700 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod set in the southerly line of Commercial Park Drive, (64' R.O.W.) being the northeasterly corner of said Lot 36, same being the northwesterly corner of Lot 35 of said Northeast Commercial Business Park Section Two, for the northeasterly corner hereof, and from which a 1/2 inch iron rod found in the southerly line of Commercial Park Drive, being the common northerly corner of Lot 33 and Lot 34 of said Northeast Commercial Business Park bears S68°17'00"E, a distance of 230.00 feet;

THENCE, S21°43'00"W, leaving the southerly line of Commercial Park Drive, along the common line between said Lot 36 and Lot 35, a distance of 250.14 feet to a 3/4 inch iron rod found in the northerly line of that tract conveyed to Herd Partners, Ltd. by deed of record in Volume 12340, Page 79 of the Real Property Records of Travis County, Texas for the southeasterly corner of said Lot 36, same being the southwesterly corner of said Lot 35;

THENCE, along the southerly line of said Lot 36, same being the northerly line of said Herd tract, the following three (3) courses and distances:

- 1) N75°31'00"W, a distance of 27.97 feet to a 3/4 inch iron rod found for an angle point;
- 2) N48°25'00"W, a distance of 73.63 feet to a 3/4 inch iron rod found for an angle point;
- 3) N18°22'00"W, a distance of 69.13 feet to a 3/4 inch iron rod set in the easterly line of Springdale Road (R.O.W. varies), same being the westerly line of said Lot 36, for the southwesterly corner hereof;

THENCE, N30°09'00"E, along the easterly line of Springdale Road, same being the westerly line hereof, a distance of 174.32 feet to a 1/2 inch iron rod set for the beginning of a non-tangent curve to the right;

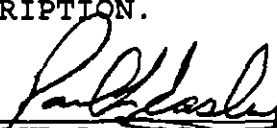
THENCE, along said non-tangent curve to the right having a radius of 25.00 feet, a central angle of  $52^{\circ}22'14''$ , an arc distance of 22.85 feet, and a chord of which bears  $S86^{\circ}10'40''E$ , a distance of 22.06 feet to a 1/2 inch iron rod set in the southerly line of Commercial Park Drive, for the point of reverse curvature of a non-tangent reverse curve to the left;

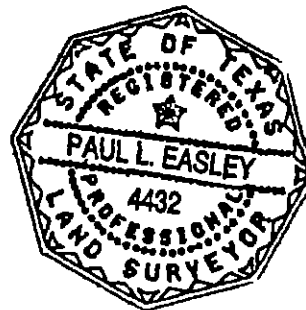
THENCE, along the southerly line of Commercial Park Drive, same being the northerly line hereof, the following two (2) courses and distances:

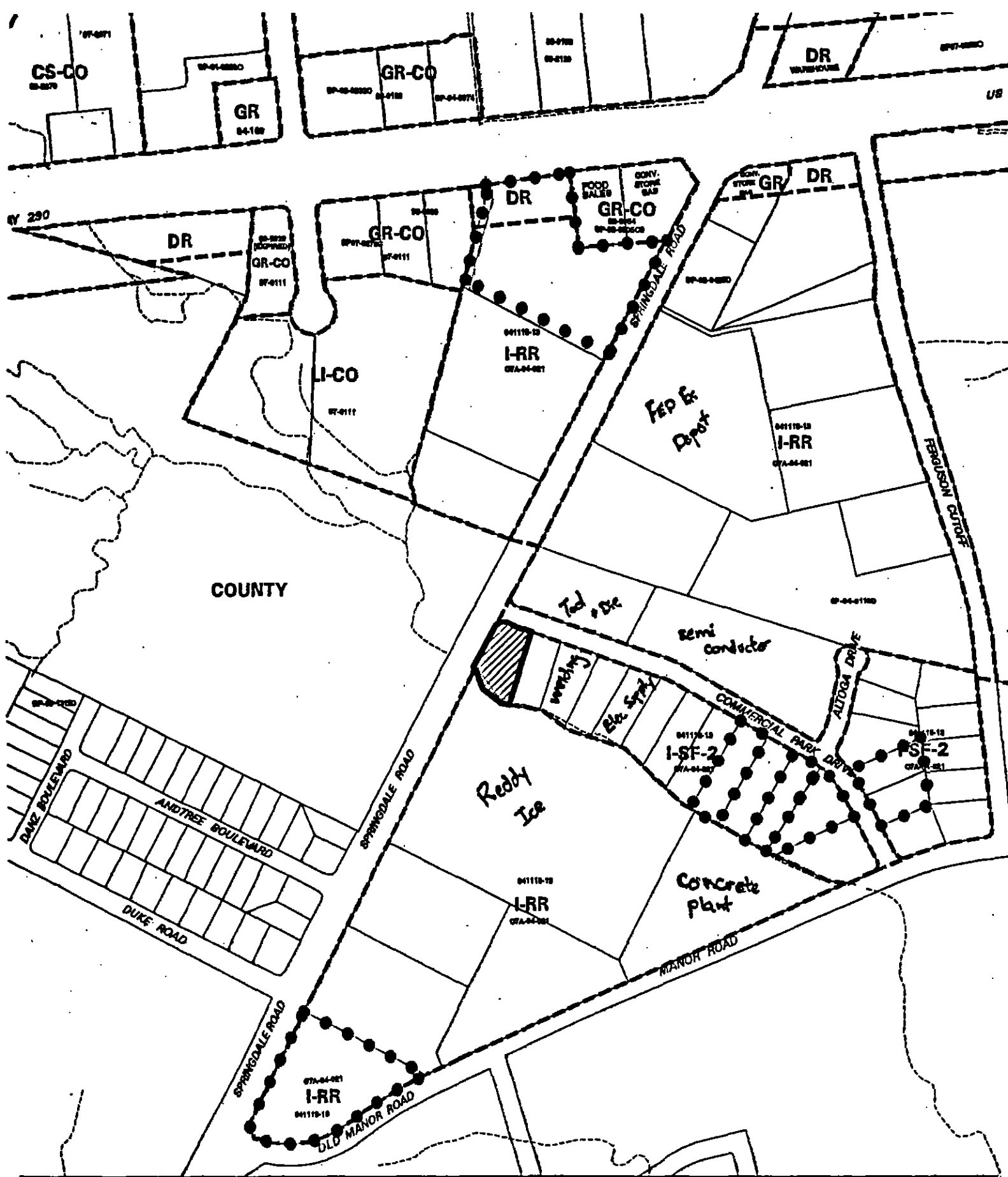
- 1) Along said non-tangent reverse curve to the left having a radius of 332.00 feet, a central angle of  $08^{\circ}16'44''$ , an arc distance of 47.97 feet, and a chord which bears  $S64^{\circ}08'00''E$ , a distance of 47.93 feet to a 1/2 inch iron rod found at the end of said curve to the left, and from which a 1/2 inch iron found in the northerly line of Commercial Park Drive, same being the southerly line of Lot 1 Northeast Commercial Business Park Section One, a subdivision of record in Book 80, Page 148 of said Plat Records, bears  $N21^{\circ}33'02''E$  a distance of 63.89 feet;
- 2)  $S68^{\circ}17'00''E$ , a distance of 47.14 feet to the POINT OF BEGINNING, containing an area of 0.700 acres (30,495 sq.ft.) of land, more or less, within these metes and bounds.

I, PAUL L. EASLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION OF THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY PLAT HAS BEEN PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY & PITTMAN, INC.  
ENGINEERS-SURVEYORS  
3345 BEE CAVE ROAD  
SUITE 200  
AUSTIN, TEXAS 78746

  
PAUL L. EASLEY R.P.L.S. DATE 1-29-96  
TEXAS REGISTRATION NO. 4432  
STATE OF TEXAS





 1" = 400'	SUBJECT TRACT	  	<b>ZONING EXHIBIT B</b>		CITY GRID REFERENCE NUMBER <b>N27</b>
	PENDING CASE				
	ZONING BOUNDARY		CASE #: <b>C14-05-0214</b>	DATE: <b>05-12</b>	
	CASE MGR: <b>R. HEIL</b>		ADDRESS: <b>4803 COMMERCIAL PARK DR</b>	INTLS: <b>SM</b>	
SUBJECT AREA (acres): <b>0.700</b>					

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0214

**ZAP Date:** February 7, 2006

**ADDRESS:** 4603 Commercial Park Drive.

**OWNER/AGENT:** James White

**ZONING FROM:** I-SF-2

**TO:** LI-CO

**AREA:** 0.700 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of Limited Industrial – Conditional Overlay (LI-CO) combining district zoning. The Conditional Overlay would limit the vehicle trips to less than 2000 per day.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**February 7, 2006: *APPROVED STAFF'S RECOMMENDATION FOR LI-CO DISTRICT ZONING; BY CONSENT.***

***[M.HAWTHORNE, J.PINNELLI 2<sup>ND</sup>] (6-0) K.JACKSON, J.MARTINEZ, J.GOHIL – ABSENT***

**DEPARTMENT COMMENTS:**

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of Applied Industrial Technologies – a manufacturer of custom electric motors for industrial uses.

This area was annexed on December 31, 2004, and the Zoning and Platting Commission has heard several similar cases in the area recently as property owners have applied for permanent zoning. (See below)

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

To the north along Springdale road, there is a large tract of vacant land. North from Commercial Park Drive on Springdale road towards US Highway 290 East, there are several large vacant tracts, and tracts developed with various industrial or intense commercial uses including, a ice plant, a commercial plumbing supply business (including a large yard storing PVC and concrete pipe), a Federal Express depot, a paint wholesaler, and a research and development site. At the intersection of Springdale Road and US Highway 290 East there are two convenience stores.



To the south along Old Manor road is a large vacant tract, a Starflight helicopter pad, and a concrete plant. Much of the land along Old Manor Road is undeveloped.

Further south, approaching Ed Bluestein Blvd (US Hwy 183) there are undeveloped tracts and a large AISD facility, the Delco Events Center.

The only residential uses near the site are further to the east along Pecan Brook drive, where a residential neighborhood surrounds LBJ High School.

The property lies within the proposed LBJ Neighborhood Planning Area, which has not yet been scheduled.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-2	Equipment sales, repair and light manufacturing
<i>North</i>	I-RR	Semi-Conductor Manufacturing
<i>South</i>	I-RR	Ice Plant and Concrete Plant
<i>East</i>	I-SF-2 and LI-CO	Storage and Industrial Uses
<i>West</i>	I-SF-2	Vacant & Industrial Uses

**AREA STUDY:** The property lies within the proposed LBJ Neighborhood Planning Area, which has not yet been scheduled.

**TIA:** N/A

**WATERSHED:** Walnut Creek      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No      **HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- LBJ Neighborhood Association
- North East Action Group
- Taking Action Inc.
- Austin Neighborhoods Council
- Austin Independent School District

**SCHOOLS: (AISD)**

Winn Elementary School      Dobie Middle School      LBJ High School

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Commercial Park Drive	60'	40'	Collector

**CITY COUNCIL DATE:**

**ACTION:**

3/09/06:

Approved LI-CO on first reading on consent. (7-0)

3/23/06

**ORDINANCE READINGS:**

1<sup>st</sup>

3/09/06

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330





**SUMMARY STAFF RECOMMENDATION**

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of Applied Industrial Technologies – a manufacturer of custom electric motors for industrial uses.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Commercial Park Drive, Springdale and Manor Roads are being developed with light industrial and intense commercial uses. Large truck traffic is common, especially along Springdale roads which links US 183 and US 290. Industrial use on the tract is appropriate.

2. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Limited Industrial Service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

**RELATED CASES**

Case	Address	Request	ZAP Rec.	City Council Action
C14-05-0084	7700 Old Manor Road	I-RR to LI-CO	LI-CO ((10/04)	Approved LI-CO (12/15)
C14-05-0156	4909 Commercial Park	I-SF-2 to LI-CO	LI-CO(10/04)	Approved LI-CO (12/15)
C14-05-0173	4903 Commercial Park	I-SF-2 to LI-CO	LI-CO(12/06)	Approved LI-CO (12/15)
C14-05-0191	5005 Commercial Park	I-SF to CS-1-CO	CS-1-CO (12/06)	Approved CS-1-CO (2/2)
C14-05-0206	5100 Commercial Park	I-SF-2 to LI-CO	LI-CO(1/31)	To City Council on (3/2)
C14-05-0216	4803 Commercial Park	I-SF-2 to LI-CO	LI-CO (2/7)	To City Council on 3/9

**EXISTING CONDITIONS**

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of Applied Industrial Technologies – a manufacturer of custom electric motors for industrial uses.

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

The only residential uses near the site are further to the east along Pecan Brook drive, where a residential neighborhood surrounds LBJ High School.

There is a floodplain within the project boundary. Offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 6,838 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day beyond the existing trips. [LDC, 25-6-117]

Capital Metro bus service is not available within ¼ mile of this project.

### **Existing Street Characteristics:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Commercial Park Drive	60'	40'	Collector

### **Site Plan**

Although the surrounding property is zoned Interim SF or RR, it appears compatibility is not triggered by any residential use.

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation, and utility adjustment. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

### **Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

**ADDENDUM**  
**CITY ZONING AND PLATTING COMMISSION**  
**FEBRUARY 7, 2006 [Annotations]**  
**CITY HALL - COUNCIL CHAMBERS**  
**301 W. 2<sup>ND</sup> STREET, 1<sup>ST</sup> FLOOR**

**CALL TO ORDER - 6:00 P.M.**

**THE FOLLOWING ITEMS WERE INADVERTANTLY LEFT OFF THE AGENDA**

**A. REGULAR AGENDA**

**DISCUSSION AND ACTION ON ZONING CASES**

**3a Zoning: C14-05-0214 - 4603 Commercial Park**  
**Location: 4603 Commercial Park Drive, Decker Creek Watershed**  
**Owner/Applicant: James White**  
**Agent: James White**  
**Request: I-SF-2 to LI-CO**  
**Staff Rec.: RECOMMENDED**  
**Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us**

**APPROVED STAFF'S RECOMMENDATION FOR LI-CO DISTRICT ZONING; BY  
CONSENT.**

**[M.HAWTHORNE, J.PINNELLI 2<sup>ND</sup>] (6-0) K.JACKSON, J.MARTINEZ, J.GOHIL -  
ABSENT**

**DISCUSSION AND ACTION ON SUBDIVISION CASES**

**PRELIMINARY PLAN**

**17a. Preliminary Plan: C8-05-0112 - Rose Glen Subdivision**  
**Location: Merle Drive at Crown Drive, Williamson Creek Watershed**  
**Owner/Applicant: Hammond Homes (W.Peoples)**  
**Agent: Howell Company (Bill Howell)**  
**Request: Approval of the Rose Glen Subdivision composed of 11 lots  
on 2.33 acres**  
**Staff Rec.: RECOMMENDED**  
**Staff: Don Perryman, 974-2786, don.perryman@ci.austin.tx.us**  
**Watershed Protection & Development Review**

**APPROVED STAFF'S RECOMMENDATION.**

**[M.HAWTHORNE, J.PINNELLI 2<sup>ND</sup>] (6-0) K.JACKSON, J.MARTINEZ, J.GOHIL -  
ABSENT**